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Medtronic, Inc. and Medtronic Vascular, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABBOTT LABORATORIES, INC. and
ABBOTT CARDIOVASCULAR
SYSTEMS INC.,

Plaintiffs,

v.

MEDTRONIC, INC. and MEDTRONIC
VASCULAR, INC.

Defendants.

C. A. No. 08-04962 DLJ

**STIPULATION OF DISMISSAL WITH
PREJUDICE PURSUANT TO FED. R.
CIV. P. 41(a)(1)(A)(ii)**

PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii), THE PARTIES TO THE ABOVE-TITLED ACTION HEREBY STIPULATE AND AGREE AS FOLLOWS:

Plaintiffs Abbott Laboratories, Inc. and Abbott Cardiovascular Systems Inc., and Defendants Medtronic, Inc. and Medtronic Vascular, Inc., hereby stipulate to the **DISMISSAL WITH PREJUDICE** of this entire action, *Abbott Laboratories, Inc. & Abbott Cardiovascular Systems Inc. v. Medtronic, Inc. & Medtronic Vascular, Inc.*, Case No. 08-04962 DLJ, with each party to bear its own costs and fees.

Respectfully submitted,

McANDREWS, HELD & MALLOY, LTD.

Dated: July 29, 2009

/s/ Scott P. McBride

Scott P. McBride
Attorneys for Plaintiffs
Abbott Laboratories, Inc.
Abbott Cardiovascular Systems Inc.

KEKER & VAN NEST

Dated: July 29, 2009

/s/ Robert Van Nest

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